

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF:

Ariel ROSENBERG

GROUP: 1754

SERIAL NO.: 09/601,062

EXAMINER: NGUYEN, Ngoc Yen M.

FILED: October 19, 2000

FOR: HIGH EFFICIENCY RECOVERY PROCESS AND APPARATUS FOR THE  
PYROLYSIS TREATMENT AND GENATION OF MULTI-ELEMENT WASTE

Assistant Commissioner of Patents  
& Trademarks  
Washington, DC 20231

RESPONSE  
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S I R:

This is in response to the outstanding office communication dated March  
26, 2002.

Applicant respectfully requests an extension of one month until May 26,  
2002 for responding to the outstanding office communication. It should be understood  
that applicant is a small entity and that the fee for grant of the extension should be  
deducted from our **Deposit Account No. 01-1944**.

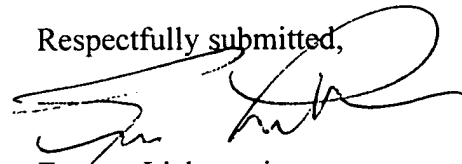
Please substitute the attached claims 44 and 65 for claims 44 and 65 of  
record. A copy of claims 44 and 65 as amended and a copy of the amended version of  
the claims is enclosed.

06/24/2002 VBARBER 00000004 011944 09/601062  
01 FC:116 400.00 CH  
Applicant provisionally elects group I inclusive of claims 44 to 64 drawn to  
the process for treating multi-element waste. This election is being made in accordance  
with 37 CFR 1.499.

Applicant respectfully traverses the Restriction Requirement which was made based on the allegation that the inventions listed as groups I and II do not relate to a single generic inventive concept under PCT Rule 13.1 because they lack the same or corresponding special technical features. Group I requires the presence of chlorine, bromine or mixtures thereof and a halogenation catalyst. Applicant believes the same corresponding technical features exist in the invention classified in group II since claim 65 recites a halogen compound inlet and that chlorine, bromine or mixtures thereof are the compounds used for industrial halogenation with the presence of a halogenation catalyst always required. In fact, claim 65 has been amended to identify the same halogenation compounds as set forth in claim 1. In addition, industrial halogenation of solids cannot occur without heating. The heat treatment step of paragraph (a) in claim 44 necessarily requires a heating means to conduct the step of heating. For the Examiner to say that the presence of a heating means is missing from the invention of group I is not correct and is not possible. Since it is impossible for the existence of a heating means not to exist in group I to carry out the process step of heating and claim 65 has been amended to identify corresponding halogen compounds, the Examiner's basis for restriction is incorrect and the Restriction Requirement should be withdrawn.

Reconsideration of the Restriction Requirement is respectfully solicited.

Respectfully submitted,

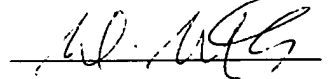


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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail addressed: Commissioner of Patents & Trademarks, Washington, DC 20231 on 5/21/02



Date: May 21, 2002

## AMENDED CLAIMS

**44. (Amended)** A highly efficient recovery process for the treatment of multi-element wastes which comprises the steps of:

a) a primary heat treatment of the waste in the presence of a controlled amount of oxygen;

b) after the completion of said heat treatment, halogenation of the product of said heat treatment by treatment with chlorine, bromine or a mixture thereof under heating, in the presence of a halogenation catalyst, and

c) separation of the metal halide products of said halogenation.

**65. (Amended)** An apparatus for a high efficient recovery process for the treatment of multi-element wastes, which comprises:

I) a primary heat treatment chamber (3);

II) a halogenation chamber (9); and

III) a separation unit (11 to 15) connected to said halogenation chamber;

IV) said primary heat treatment chamber comprising a waste inlet (2), a flue-gas outlet (20) and means of heating; and

V) said halogenation chamber comprising a means of heating, [a halogen compound inlet (10)] an inlet (10) for chlorine, bromine or mixtures thereof and an outlet (16) and means for introducing in said chamber a halogenation catalyst.